

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	CHAPTER 7
)	
TZEW HOLDCO LLC, <i>et al.</i> , ¹)	CASE NO. 20-10910 (KBO)
)	(Jointly Administered)
Debtor.)	
)	
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JEOFFREY L. BURTCH, Chapter 7)	ADV. CASE NO. 22-50255 (KBO)
Trustee,)	
)	Related Docket No. __
Plaintiff,)	
v.)	
)	
TYLER ZACHEM, an individual,)	
DAVID BASTO, an individual,)	
JOHN OVERBAY, an individual,)	
JOHN MALLOY, an individual,)	
JEFFREY FRIENT, an individual,)	
MICHAEL SHORT, an individual,)	
DAVID TOLMIE, an individual, and)	
JEFFREY DANE, an individual,)	
)	
Defendants.)	
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**[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION
TO WITHDRAW THE REFERENCE**

THIS MATTER came before the Court on the Plaintiff's Motion to Withdraw Reference of this Adversary Proceeding to the District Court Pursuant to 28 U.S.C. § 157 Based Upon Jury Trial Demand (the "Motion") [D.I. __]. In the Motion, Plaintiff Jeoffrey L. Burtch, Chapter 7

¹ The Debtors in these Chapter 7 cases, along with the last four digits of each entity's federal tax identification number and respective bankruptcy case numbers, are: (i) TZEW Holdco LLC (0252), 20-10910 (KBO); (ii) PP Group, LLC f/k/a Apex Parks Group, LLC d/b/a TZEW, LLC (5579), 20-10911 (KBO); (iii) PP Property Holdings, LLC f/k/a Apex Real Property Holdings, LLC (1013), 20-10912 (KBO); (iv) PP Parks Beverage Company, LLC f/k/a Speedzone Beverage company, LLC (2339), 20-10913 (KBO); (v) PP Parks Holdings, LLC f/k/a Speedzone Holdings, LLC (7913), 20-10914 (KBO); (vi) PP Parks Management, LLC f/k/a Speedzone Management, LLC (2937), 20-10915 (KBO); and (vii) TZEW Intermediate Corp d/b/a TZEW Corp. (1058), 20-10916 (KBO).

Trustee of the estates of the above-captioned Debtors, pursuant to 28 U.S.C. § 157(d) and Bankruptcy Court Local Rule 5011-1 seeks a withdrawal of the reference to conduct a jury trial, with all pre-trial matters to be heard and decided by the District Court. Upon consideration of the relevant pleadings, it is

HEREBY ORDERED as follows:

1. The Motion is GRANTED.
2. Pursuant to 28 U.S.C. § 157, the mandatory reference of Adversary Proceeding No. 22-50255 (KBO) is withdrawn for purposes of a jury trial only when the case is trial ready, with the reference to the Bankruptcy Court to remain intact for all pre-trial matters, including case dispositive motions.
3. The Bankruptcy Court shall submit proposed findings of fact and conclusions of law to the District Court for *de novo* review and entry of any final order or judgment pursuant to 28 U.S.C. § 157(c)(1).
4. When the case is trial ready, the parties shall jointly file a notice with the District Court advising it of such, along with their request for the District Court to conduct the jury trial as permitted under this Order.

Dated: _____
Wilmington, Delaware

UNITED STATES DISTRICT JUDGE